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3738

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Group Art Unit 3738  
TO: Examiner Alvin J. Stewart DATE: June 4, 2004  
COMPANY: United States Patent and Trademark Office  
FACSIMILE : 703-872-9302  
FROM: Richard J. Godlewski NO. OF PAGES 11  
(including this cover sheet).

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In Re Application of: Pavcnik et al.  
Atty. Docket No.: PA-5252-RFB  
Serial No.: 09/849,044  
Filed: May 4, 2001  
Title: ENDOVASCULAR STENT GRAFT

Customer No.: 9896  
Group Art Unit: 3738  
Examiner: Alvin J. Stewart

Please enter and make of record the enclosed Response to application Serial No. 09/849,044. The following documents are enclosed with this transmission:

Transmittal of Response to Non-Final Office Action (2 pages)  
Response to Non-Final Office Action ( 8 pages)



Richard J. Godlewski  
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Serial No. 09/849,044

PATENT

**CERTIFICATION OF FACSIMILE TRANSMISSION**

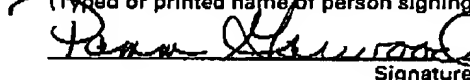
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June 4, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Pavcnik et al.

Atty. Docket No.: PA-5252-RFB

Customer No.: 9896

Serial No.: 09/849,044

Group Art Unit: 3738

Filed: May 4, 2001

Examiner: Alvin J. Stewart

Title: ENDOVASCULAR STENT GRAFT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313**TRANSMITTAL OF RESPONSE TO  
NON-OFFICE ACTION**

SIR:

Please make of record the following papers relating to the above-identified application:

Response to Non-Final Office Action (8 pages)

**FEE FOR CLAIMS**

Claims Remaining After Amendment	Highest Number Previously Paid For	No. Extra	Rate	Calculations
Total No. of Claims	8	- 20	=	0
Independent Claims	2	- 3	=	0
Multiple Dependent Claim(s), if applicable			+ \$270 =	N/A
TOTAL FEE:				\$0.00

Page 1 of 2

Serial No. 09/849,044

PATENT

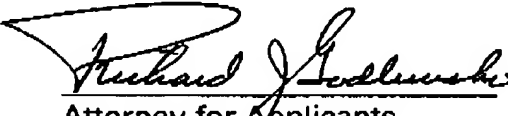
No additional fee is required. In the event of improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 13-2528 as required to correct the error.

Please address all correspondence to:

Richard J. Godlewski  
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Bloomington, IN 47402-2269  
812-330-1824

Respectfully,

Date: June 4, 2004

  
Attorney for Applicants  
Richard J. Godlewski  
Reg. No. 30,056

Serial No. 09/849,044

PATENT

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<u>June 4, 2004</u> Date	<u>Ramm Garwood</u> (Typed or printed name of person signing certification) <u>Ramm Garwood</u> Signature

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In Re Application of: Pavcnik et al.

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COMMISSIONER FOR PATENTS  
ALEXANDRIA, VA 22313

SIR:

**RESPONSE TO NON-FINAL OFFICE ACTION**

In the Office action of March 4, 2004, Paper No. 21, claims 1 and 3-9 are pending and were rejected. The drawings filed on July 7, 2002 were accepted by the Examiner. This Office action is responsive to the second request for continued examination under 37 CFR 1.114 in which the finality of the previous Office action was withdrawn. This request was filed on February 9, 2004. In particular, claims 1 and 7-9 were rejected under 35 USC 103(a) as being unpatentable over Babbs (WO 98/25544). Claims 3-6 were rejected under 35 USC 103(a) as being unpatentable over Babbs in view of Douglas (6,090,128). Lastly, claims 1 and 3-9 were rejected under 35 USC 103(a) as being unpatentable over Gregory (5,990,379) in view of Douglas.